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PATENT
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*#6 WMR*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Manabu Kii et al.
Serial No. : 10/027,194
Filed : December 20, 2001
For : SERVICE OFFERING SYSTEM, MANAGEMENT SERVER,
SERVICE PROVIDER, TERMINAL DEVICE, STORAGE MEDIUM
ISSUING APPARATUS, SERVER OFFERING METHOD, AND
STORAGE MEDIUM
Examiner : Alford W. Kindred
Art Unit : 2172

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Name of Applicant, Assignee or Registered Representative

William S. Frommer
Signature

May 12, 2004

Date of Signature

RECEIVED**MAY 19 2004****Technology Center 2100**RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Assistant Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated April 16, 2004, wherein restriction was required among the claims as follows:

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Group I, claims 1-14 and 26, which the Examiner characterizes as being directed to a service offering combined with a database for storing and managing identifiers; and

Group II, claims 15-25 and 27-31, which the Examiner characterizes as being directed to a service provider with identifiers managed by a management server.

It is noted that this written restriction requirement differs from the telephone restriction requirement of March 17, 2004 (the Examiner did not mention, in his Office Action, the March 17th telephone restriction requirement). In the March 17th telephone restriction requirement, the Examiner grouped the claims as follows: Group I claims 1-14, 25-27 and 30; and Group II claims 15-24, 28, 29 and 31. It is respectfully requested that the Examiner revise his written restriction requirement to conform to the March 17th telephone restriction requirement. With such revision, Applicants elect Group I claims 1-14, 25-27 and 30 for further prosecution in this application.

This election is made with traverse.

The claims of Group I are directed to a system that includes storage medium issuing apparatus, a management server, a service provider and a terminal device. The storage medium issuing apparatus is defined in claim 25 and, thus, claim 25 should be included in the Group I claims. Claim 27 is directed to the method performed by the management server of claim 10 and, therefore, claim 27 should be included in the same group as claim 10, namely, Group I. Claim 30 is directed to the storage medium on which is stored the program that performs the steps of the management server of claim 10. Thus, claim 30 likewise should be included in the Group I claims.

Furthermore, the overall invention disclosed and claimed in the present application is a system and its components, namely, a management server, a service provider, a

terminal device and storage medium issuing apparatus. A proper search of Claim 1, directed to the system, will involve a search of the aforesaid components. It would seem, then, that there is no economy of examination if the present restriction requirement is maintained.

It is submitted that a search for the invention defined by the Group I claims will require a search that encompasses the claims of Group II and, thus, all of the groups of claims of the instant application will be searched. Therefore, if the present requirement for restriction is maintained, the logical result will be the filing of a divisional application to include the claims encompassed by the non-elected group. Of course, this will mean that the examination of such claims will be delayed. However, since the search for the claims included in the divisional application will overlap with and, in all probability, be identical to the search that is to be conducted on the Group I claims elected herein, the primary effort needed to examine all applications will be repeated. Furthermore, it is likely that the same Examiner will be in charge of the divisional case; but in light of the delay between the prosecution of the present application and that of the divisional application, the Examiner will have to conduct a duplicate, redundant search at a later time. Alternatively, if a different Examiner is assigned to the divisional application, a significant loss of PTO efficiency will result in his examination of that divisional case. After all, the present Examiner will be the individual in the best position to examine all applications and he will be fully familiar with the subject matter of the divisional application.

Therefore, since the only logical outcome of the present restriction requirement would be to delay the examination of the claims included in Group II, resulting in inefficiencies on the part of the Office and unnecessary expenditures by Applicants, and since the single search can be done for all claims without any significant burden on the Office, the withdrawal of the

instant restriction requirement and the examination on the merits of all of claims 1-31 are respectfully solicited.

Respectfully submitted,

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